

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48009 of 2019

Arising Out of PS. Case No.-152 Year-2019 Thana- KOILWAR District- Bhojpur

Nandjee Rai, Son of Prahalad Rai, Resident of Village- Pacharukhiya, P.S.-
Koilarwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code.

The prosecution case as per the fardbeyan of the informant recorded by SI. Anil Kumar of PMCH T.O.P. on 20.05.2019 in the Emergency Ward of PMCH is to the effect that on 19.05.2019 at 3.00 P.M. the informant along with his brother Malay Singh and others were going to cast vote during parliamentary election but on the way all the FIR named accused persons and 20-25 unknown having variously armed, surrounded, abused and started assaulting the informant and other persons and on the order of this petitioner, co-accused



Baidyanath Yadav assaulted on the back of the head of the brother of the informant with the butt of a rifle and thereafter other accused persons also assaulted as a result brother of the informant and he fell down. Thereafter, the brother of the informant was taken to PHC, Koilwar from there he was referred to Sadar Hospital, Ara, from there he was referred to PMCH, Patna and on the same day during the course of treatment he died.

It is submitted by learned counsel for the petitioner that the accusation of assault is not specific against the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR and he is an order giver.

Considering the fact that the accusation of assault is not specific against the petitioner and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Bhojpur at Ara in connection
with Koilwar P.S. Case No. 152 of 2019, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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